

Appl. No. 09/931,193
Resp. Dated Mar. 15, 2004
Reply to Office Action of Jan. 13, 2004

REMARKS/ARGUMENT

I. Status of the Claims

Claims 5-13, 15-18, and 20-24 are pending.

Claims 5-6, 9, 11, 15-18, 20-21 and 23-24 stand rejected.

II. Rejections Under 35 U.S.C. § 102(b)

Claims 17, 20, 23 and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Rogmann (6,074,452). Rogmann teaches the application of a liquid fertilizer to a grass blade having an established root system to increase the density and mass of plants having insufficient exposure to sunlight. Rogmann is silent regarding cuttings, and inducing root growth in a cutting.

Applicants have amended claim 17 and claims 20, 23 and 24 to differentiate the Applicants' claimed method of inducing root growth in cuttings. Rogmann fails to teach each and every element of the Applicants' amended claims. Rogmann only teaches the application of fertilizer to promote additional growth in an existing root system.

Applicants respectfully request reconsideration and removal of the anticipation rejection of claims 17, 20, 23 and 24 in light of the Applicants amendment.

Appl. No. 09/931,193
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Claim 16 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Yoshimatsu et al (Phytochemistry, vol. 29, no. 11, 3525-8) Yoshimatsu teaches a MS liquid medium comprising 4-chloro-IAA and other organics(IAA). Yoshimatsu teaches the coating of roots with 4-chloro-IAA.

Applicants have amended claim 16 into a composition of matter claim instead of just a solution. The combination comprises a leaf without roots where the leaf is coated with a solution of 4-chloro-IAA. Yoshimatsu is silent regarding leaves, and it does not teach or suggest the combination of a leaf without roots coated with a solution of 4-chloro-IAA.

Applicants respectfully request reconsideration and removal of the anticipation rejection of claim 16 in light of the Applicants' amendment.

III. Rejections Under 35 U.S.C. § 103

Claims 5, 6, 9-11, 15, 16, 18 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rogmann in view of Yoshimatsu and Pei (CN 1176954)). Rogmann teaches the application of a fertilizer to the leaf of a blade of rooted grass to increase root mass. Yoshimatsu teaches the application of 4-chloro-IAA to existing roots

Appl. No. 09/931,193
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to increase their growth. Pei teaches the application of fertilizer to roots, seeds and leafs.

Applicants have amended their claims to more particularly point out what the Applicants consider to be their invention. The cited references, either singly or in combination, does not teach the application of a roots inducing agent to a rootless cutting to induce root growth. The cited combination does not teach claims 5, 6, 9-11, 15, 16, 18 and 21. Therefore, Applicants respectfully request reconsideration and removal of the obviousness rejection of claims 5, 6, 9-11, 15, 16, 18 and 21.

IV After final Entry of Claim Amendments

Applicants respectfully request entry of the amendments to the claims after final to advance the application to allowance. No new matter was added in this amendment and a new search should not be required.

Appl. No. 09/931,193
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V Conclusion

Based on the foregoing, it is respectfully requested that all rejections be withdrawn and the application be passed to issue.

Respectfully submitted,

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The undersigned hereby certifies that this paper along with any paper or document referred to therein as being attached or enclosed, is being mailed with proper postage to the Commissioner for Patents, Mail Stop Non-Fee Amendment, P.O. Box 1450, Alexandria, VA 22313-1450- This 15th day of MAR 2004.

Jeffrey D. Washville